

AMENDED IN ASSEMBLY JUNE 3, 2003

AMENDED IN ASSEMBLY MAY 12, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1097

Introduced by Assembly Member Cogdill
(Coauthor: Senator Poochigian)

February 20, 2003

An act *to amend Section 41851 of the Education Code*, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1097, as amended, Cogdill. ~~Mariposa County Unified School District~~ *unified school districts: home-to-school transportation: apportionment.*

Existing law requires each county unified school district that is governed by the county board of education to meet 3 specified requirements, including a minimum annual mileage requirement *for home-to-school transportation that exceeds 500,000 miles*, to be eligible to receive an additional annual apportionment of \$350,000 for home-to-school transportation costs provided by the school district.

This bill would ~~exempt the Mariposa County Unified School District from that annual minimum mileage requirement~~ *reduce that annual home-to-school transportation mileage requirement to 350,000 miles. The bill would further restrict eligibility for the additional annual apportionment to county unified school districts that have received additional annual apportionments in the 2000–01 and 2001–02 fiscal years.*

~~The bill would provide that its provisions become inoperative on and after July 1, 2006, and are repealed on January 1, 2007.~~

~~The bill would declare that, due to the unique circumstances regarding the Mariposa County Unified School District, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Notwithstanding any other provision of law, the~~
2 ~~SECTION 1. Section 41851 of the Education Code is~~
3 ~~amended to read:~~
4 41851. (a) For the 1992–93 fiscal year, from Section A of the
5 State School Fund, the Superintendent of Public Instruction shall
6 apportion to each school district or county superintendent of
7 schools, as appropriate, an amount computed pursuant to this
8 section. School districts and county superintendents of schools
9 that provide transportation services by means of a joint powers
10 agreement, a cooperative pupil transportation program, or a
11 consortium shall receive transportation allowances pursuant to
12 this section.
13 (b) For the 1992–93 fiscal year, each school district or county
14 office of education shall receive a home-to-school transportation
15 apportionment equal to the transportation allowance received in
16 the prior fiscal year reduced by the amount of the special education
17 transportation allowance identified pursuant to Section 41851.5.
18 (c) For the 1993–94 fiscal year and each fiscal year thereafter,
19 each school district or county office of education shall receive the
20 same home-to-school transportation allowance received in the
21 prior fiscal year, but in no event shall that home-to-school
22 transportation allowance exceed the prior year’s approved
23 home-to-school transportation costs, increased by the amount
24 provided in the Budget Act.
25 (d) ~~For the 1993–94 and 1994–95 fiscal years, and each fiscal~~
26 year thereafter, each county unified school district for which the
27 county board of education serves as the governing board that meets
28 all of the following criteria shall receive an ~~additional~~

apportionment *in addition to the amount received pursuant to subdivision (c)* of three hundred fifty thousand dollars (\$350,000):

(1) Over 50 percent of the pupils enrolled in the school district require home-to-school transportation services.

(2) Total enrollment of the school district is less than 3,500.

(3) Total miles driven each fiscal year for home-to-school transportation exceeds ~~500,000~~ 350,000.

(4) *The school district received an apportionment pursuant to this subdivision in the 2000–01 and 2001–02 fiscal years.*

(e) If, in any fiscal year, a county unified school district operates one or more necessary small schools pursuant to Article 4 (commencing with Section 42280) of Chapter 7 that the district did not operate in the 1994–95 fiscal year, that district ~~shall~~ *may* not be eligible to receive an apportionment pursuant to subdivision (d) in that fiscal year or in any subsequent fiscal year.

(f) If a later enacted statute amends subdivision (b) of Section 42280 or amends or adds any other provision of law authorizing a county unified school district that has 3,001 or more units of average daily attendance to be designated as a small school district for the purposes of Article 4 (commencing with Section 42280) of Chapter 7, subdivision (d) shall become inoperative on the date that the later enacted statute becomes operative.

(g) Each county unified school district that receives an additional apportionment pursuant to subdivision (d) shall report, by September 1 of each year, commencing with September 1, 1995, on the amount of revenues received and the funds expended for the home-to-school transportation program in the prior fiscal year. The report shall be submitted to the fiscal committees and education policy committees of the Legislature and to the Legislative Analyst.

~~minimum mileage requirement set forth in paragraph (3) of subdivision (d) of Section 41851 of the Education Code does not apply to the Mariposa County Unified School District.~~

~~SEC. 2.—This act shall become inoperative on and after July 1, 2006, and, as of January 1, 2007, is repealed, unless a later enacted statute that is enacted before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.~~

~~SEC. 3.—The Legislature finds and declares that due to unique circumstances regarding the Mariposa County Unified School District, a general statute cannot be made applicable within the~~

1 ~~meaning of Section 16 of Article IV of the California Constitution.~~
2 ~~Therefore, the special legislation contained in Section 1 of this act~~
3 ~~is necessarily applicable only to the Mariposa County Unified~~
4 ~~School District.~~

O

